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In re Application of  
CHEE WENG YEE, et al.  
U.S. Appl. No.: 09/674,355  
PCT No.: PCT/SG98/00031  
Int. Filing Date: 30 April 1998  
Priority Date: 30 April 1998  
Agent's File Reference: 851663.417USPC  
For: AUTOMATIC BRIGHTNESS LIMITATION  
FOR AVOIDING VIDEO SIGNAL CLIPPING

DECISION UNDER  
37 CFR 1.181

Applicant's 13 June 2001 communication is being treated as a petition under 37 CFR 1.181 requesting that the "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495" (Form PCT/DO/EO/903 mailed 22 December 2000) be corrected to indicate a 16 January 2001 date of receipt of 35 U.S.C. 371 requirements. No petition fee is required. The petition is **GRANTED**.

**BACKGROUND**

On 30 October 2000 applicants filed U.S. application 09/674,355 as a national stage entry of international application PCT/SG98/00031. Applicants pre-paid the \$130 surcharge for the late filing of the declaration.

On 15 November 2000, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) informing applicants that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a

surcharge in the amount of \$130 was due.

On 22 December 2000, the DO/EO/US mailed a "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495" (Form PCT/DO/EO/903) indicating that the date of receipt of 35 U.S.C. 371 requirements was 02 November 2000. The declaration was not present in the application file on 02 November 2000.

On 16 January 2001, applicants filed, inter alia, a declaration in response to the Form PCT/DO/EO/905 above.

On 13 June 2001 applicants filed the present petition indicating that the Form PCT/DO/EO/903 mailed 22 December 2000 above was incorrect because the correct date of receipt of 35 U.S.C. requirements was 16 January 2001 and not 02 November 2000.

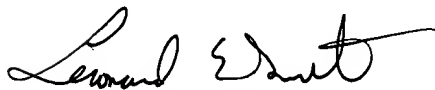
### DISCUSSION

A review of the application file reveals that applicants properly responded to the Form PCT/DO/EO/905 on 16 January 2001 by filing the declaration. Therefore, the Form PCT/DO/EO/903 incorrectly indicated the date of receipt of 35 U.S.C. requirements as being on 02 November 2000.

### CONCLUSION

Accordingly, the Form PCT/DO/EO/903 mailed 22 December 2000 is hereby VACATED.

This application is being returned to the DO/EO/US for the issuance of a corrected Form PCT/DO/EO/903 indicating a 16 January 2001 date of receipt of 35 U.S.C. 371 requirements and for the preparation of a filing receipt.



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